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Security Council

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Letter dated 31 December 2003 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council

I have the honour to transmit herewith the annual report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia (see annex), containing an account of the Committee's activities for the year 2003. The report, which was adopted by the Committee on 31 December 2003, is being submitted in accordance with the note by the President of the Council of 29 March 1995 (S/1995/234).

(*Signed*) Stefan **Tafrov**
Chairman
Security Council Committee established pursuant
to resolution 751 (1992) concerning Somalia

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Annex

Report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia covers the period from 1 January to 22 December 2003.

2. The report of the Committee covering its activities from 1 January to 27 December 2002 (S/2002/1430, annex) was submitted to the Security Council on 30 December 2002.

3. For 2003, the bureau consisted of Stefan Tafrov (Bulgaria) as Chairman, with the delegations of Mexico and Germany as Vice-Chairmen (see S/2003/10).

4. The Committee held five formal meetings and five informal meetings in 2003.

II. Background

5. On 12 March 2003, the President of the Security Council issued a statement (S/PRST/2003/2) on behalf of the Council, noting with serious concern the continued flow of weapons and ammunition supplies to Somalia, and calling on all States and other actors to comply scrupulously with the arms embargo.

6. In paragraphs 3 to 5 of resolution 1474 (2003) of 8 April 2003 concerning Somalia, the Security Council requested the Secretary-General to re-establish a Panel of Experts and mandated it, inter alia, to investigate the violations of the arms embargo covering access to Somalia by land, air and sea (see para. 20 below). In paragraph 8 of resolution 1474 (2003), the Security Council decided to send a mission of the Committee, led by the Chairman, to the region to demonstrate the Council's determination to give full effect to the arms embargo (see para. 14 below). In paragraph 9 of resolution 1474 (2003), the Security Council called upon all States, in particular those in the region, to provide the Committee with all available information on violations of the arms embargo.

7. On 11 November 2003, the President of the Security Council issued a statement (S/PRST/2003/19) on behalf of the Council, welcoming the Committee's mission to the region and calling on relevant States and organizations to cooperate with the mission.

8. In paragraph 2 of resolution 1519 (2003) of 16 December 2003, the Security Council requested the Secretary-General to establish a Monitoring Group composed of up to four experts, for a period of six months, to be based in Nairobi, with a mandate focused on the ongoing arms embargo violations, including transfers of ammunition, single use weapons and small arms. In paragraph 4 of the resolution, the Council requested all Somali and regional parties as well as government officials and other actors contacted outside the region to cooperate fully with the Monitoring Group in the discharge of its mandate.

III. Summary of the Committee's activities

9. On 28 February, 12 March and 23 April 2003, informal meetings of the Committee were convened on the findings of the Panel of Experts and to discuss the recommendations contained in the report submitted to the Committee on 25 March 2003 (see S/2003/223). On 4 April 2003, the 22nd formal meeting of the Committee was convened to conclude the consideration of the report of the Panel of Experts.

10. On 12 May 2003, the 23rd formal meeting of the Committee was held in order for the Committee to meet with the four members of the re-established Panel of Experts. At the same meeting, the Panel outlined briefly its work plan and sought the Committee's views on how to implement the Panel's mandate.

11. On 13 August 2003, the 24th formal meeting of the Committee was convened to hear an oral midterm briefing of the re-established Panel of Experts, in accordance with paragraph 7 of resolution 1474 (2003). The Panel described its work and preliminary findings as well as its work plan for the remainder of its six-month term and replied to questions raised by Committee members in this regard. At the same meeting, the Committee took note of the Chairman's intention to lead a mission of the Committee to the region between 5 and 17 October 2003, pursuant to paragraph 8 of resolution 1474 (2003).

12. On 22 October 2003, the Committee held its 25th formal meeting to discuss the preparations for the mission, which had been rescheduled for 11 to 21 November 2003. Members of the Committee agreed on the mission's itinerary and on the points to be raised by the Chairman of the Committee with respective interlocutors in the region.

13. On 4 November, at an informal meeting, and on 10 November 2003, at the 26th formal meeting, the Committee heard a presentation by the re-established Panel of Experts on its findings and recommendations contained in its final report (S/2003/1035), submitted in accordance with paragraph 7 of resolution 1474 (2003). As agreed at the 26th formal meeting, the Chairman provided a factual account of the Committee's discussions on the Panel's report to the Security Council on 3 December 2003.

14. On 26 November 2003, an informal meeting of the Committee was convened to discuss the report on its mission to the region. Between 11 and 21 November 2003, the mission visited Djibouti, Egypt, Eritrea, Ethiopia, Italy, Kenya and Yemen; owing to security considerations, travel to Somalia had not been possible. The mission met with a wide range of interlocutors, including senior officials from Governments, military officials as well as representatives of Somali political parties and civil society. It also met with the heads of the African Union, the Intergovernmental Authority on Development and the League of Arab States.

15. Further to paragraph 8 of resolution 1407 (2002) and/or in reply to the Chairman's note verbale (SCA/1/02(09)) of 7 June 2002 (see S/2002/1430, paras. 11-12 and appendix), an additional four replies were received from Member States (see appendix).

IV. Other issues

16. On 7 February, 22 August and 5 September 2003, the Committee approved requests from the United Kingdom of Great Britain and Northern Ireland, on behalf of Halo Trust, to import humanitarian mine-clearance equipment to Somalia and, on behalf of the United Nations Development Programme, to import humanitarian equipment to Somalia for the UNDP Rule of Law and Security Programme, under the no-objection procedure.

17. On 10 April 2003, in a letter addressed to the President of the Security Council (S/2003/423), the Permanent Representative of Somalia to the United Nations conveyed his Government's intention to cooperate fully with the re-established Panel of Experts.

18. On 5 May 2003, the Chairman, on behalf of the Committee, sent letters to the African Union, the League of Arab States, the International Civil Aviation Organization, the International Maritime Organization and the United Nations Department for Disarmament Affairs seeking their views on the recommendations contained in the report of the Panel (S/2003/223). The Chairman received written replies from the League of Arab States, the International Civil Aviation Organization and the United Nations Department for Disarmament Affairs. On 15 December 2003, the Chairman, on behalf of the members of the mission of the Committee, sent a letter to the United Nations Environment Programme regarding the environmental degradation of Somalia.

V. Summary of the activities of the Panel of Experts

19. The Panel of Experts, established on 4 September 2002 pursuant to paragraph 11 of resolution 1425 (2002), concluded its work on 3 March 2003. In its final report (S/2003/223) the Panel recommended that its mandate be further extended by six months in order to investigate further violations of the arms embargo, including identification of violators and their supporters.

20. On 30 April 2003, pursuant to paragraphs 3 to 5 of resolution 1474 (2003), the Secretary-General appointed four members, including the Chairman, to the re-established Panel of Experts, to be based in Nairobi for a period of six months (see S/2003/515). The re-established Panel commenced its mandate on 12 May 2003. At the midterm briefing, on 13 August 2003, the Chairman of the re-established Panel reported on continued violations of the arms embargo in Somalia. He informed the Committee that information gathering continued in collaboration with Governments in and outside of the region, international and non-governmental organizations, academic/research institutions as well as representatives of civil society. In its final report, submitted to the Committee on 27 October 2003 (S/2003/1035), the re-established Panel recommended that the arms embargo continue but observed that monitoring was critical to ensure its effectiveness.

VI. Conclusions and observations

21. During 2003, the Committee stepped up markedly its level of engagement. The activities of the Panel of Experts during the year as well as the Committee's mission to the region in November are clear indications of its determination to give full effect to the arms embargo on Somalia. The Security Council's decision of 16 December 2003 to establish a Monitoring Group further underlines the Committee's important role in the implementation of the arms embargo on Somalia. As in the past, the Committee continues to rely on the cooperation of States and organizations in a position to provide information on violations of the arms embargo.

Appendix

Additional replies received from States in accordance with paragraph 8 of resolution 1407 (2002) and/or in reply to note verbale SCA/1/02(09)

	State	*Date of report*	*Symbol*
39	Ukraine	10 March 2003	S/AC.29/2002/36/Add.1
40	Argentina	24 January 2003	S/AC.29/2003/1
41	Argentina	27 May 2003	S/AC.29/2003/1/Add.1
42	United Kingdom	19 February 2003	S/AC.29/2003/2